

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares
 : Mag. No. 11-182 (JLL)
 v. :
 :
 : ORDER
 ERVIS GJONI :
 :
 :

This matter having come before the Court on the motion of defendant Ervis Gjoni for reconsideration of sentence, and the Court having considered the motion and the response of the United States thereto, the Court makes the following findings:

- (1) This Court lacks jurisdiction because the case is pending with the Court of Appeals; and
- (2) Regardless of jurisdiction, defendant has failed to establish that he is eligible for a reconsideration or correction of sentence.

Therefore, it is hereby ORDERED, this 17th day of August, 2012, that, pursuant to Rule 37(a)(2) of the Federal Rules of Criminal Procedure, that said motion is DENIED both on the merits and for lack of jurisdiction.

HON. JOSE L. LINARES
United States District Judge